IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

Bail Appl..No. 5542 of 2007()

CRIME NO. 203/07 OF KURATHIKAD POLICE STATION
AGAINST THE JUDGEMENT/ORDER IN BA.5168/2007 Dated 22/08/2007

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PETITIONER/ACCUSED:

RAHIM,
KALLUVETTUPARAMBIL VEEDU, WARD NO. VIII,
THAZHAKKARA PANCHAYATH, VETTIYAR MURI,
VETTIYAR VILLAGE.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP

RESPONDENTS: STATE AND COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
KURATHIKKAD POLICE STATION, MAVELIKKARA.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5542 of 2007

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Dated this the 12th day of September, 2007

O R D E R

Second application for regular bail. Petitioner is the sole accused. He faces allegations under Section 302 I.P.C. The incident took place on 3.8.2007. He remains in custody from 6.8.2007 The petitioner had allegedly caused the death of the deceased by deliberately knocking down the deceased by a running motor cycle with the intention of causing his death.

2. I have adverted to facts in detail in the earlier order dt. 22.8.2007 in B.A.No. 5168 of 2007. That application was dismissed with the observation that the petitioner can approach this Court again later, not prior to 5.9.2007. The petitioner has accordingly filed this application.

3. The learned Prosecutor opposes the application. He submits that the allegations are serious. The petitioner was arrested only on 6.8.2007. The crime committed is grave. Investigation is not complete. In a serious crime like this the investigators may be given reasonable further time to complete the investigation. The

question of release of the petitioner on bail may not be considered favourably at this stage, submits the Prosecutor.

4. I have considered all the relevant inputs. I have already adverted to facts in detail in the order referred above. In these circumstances it is not necessary for me to refer to facts in any greater detail in this order. This order is to be read in continuation of the said order. I am not persuaded to agree that the petitioner can be granted regular bail at this stage. I find merit in the opposition by the learned Prosecutor and the submission that the Investigators must be given some further time to complete the investigation.

5. This application is accordingly dismissed. But I may hasten to observe that the petitioner shall be at liberty to move this court or the courts below for bail again at a later stage of the investigation, not at any rate, prior to 26.9.2007. It is expected that the Investigators shall make every endeavour to complete the investigation, by then.

(R. BASANT)
Judge

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